

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:21-cv-00315-MR

CALVIN JEROME WOMIC, JR., )  
                                  )  
Plaintiff,                    )  
                                  )  
vs.                            )                            ORDER  
                                  )  
FNU CORTEZ,                )  
                                  )  
Defendant.                 )  
                                  )  
\_\_\_\_\_

**THIS MATTER** is before the Court sua sponte on the Court's review of the docket in this matter.

On August 7, 2022, Defendant moved for summary judgment and to submit certain evidence under seal. [Docs. 38-39]. This evidence included video evidence labelled as Exhibits A through D to Docket No. 38-1. [See Doc. 38-1 at ¶¶ 4-5]. On review of the submitted evidence, the Court found that the video files submitted to the Court for Exhibits A and B, which are described as video taken from Cameras 74 and 75 in Block B, respectively, do not play properly and/or are simply blank. Before the Court can consider Defendant's summary judgment motion, Defendant needs to submit functioning copies of these Exhibits. The Court, therefore, will Order

Defendant to re-file these Exhibits with the Court within ten (10) days of this Order, or the Court will not consider these Exhibits on summary judgment.

Defendant shall mail the Exhibits to the following address:

U.S. District Court, Asheville Division  
Western District of North Carolina  
100 Otis Street, Room 309  
Asheville, NC 28801

**ORDER**

**IT IS, THEREFORE, ORDERED** that counsel for Defendant shall mail a copy of the Exhibits A and B to Docket No. 38-1 to the Court as directed within ten (10) days of this Order.

**IT IS SO ORDERED.**

Signed: September 26, 2022



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Martin Reidinger  
Chief United States District Judge

